

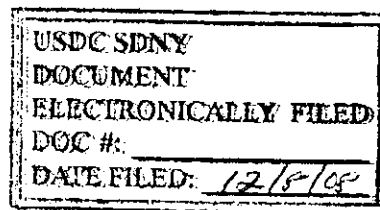
ORIGINAL

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Attorneys for The Non-Agent Lenders



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADELPHIA RECOVERY TRUST,

Plaintiff,

v.

BANK OF AMERICA, N.A., et al.,

Defendants.

No. 05-CV-9050 (LMM)

~~(PROPOSED)~~ ORDER GRANTING THE NON-AGENT LENDERS' MOTION
FOR ENTRY OF FINAL JUDGMENTS PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 54(B)

IT IS HEREBY ORDERED that the Non-Agent Lenders' Motion For Entry of Final
Judgments Pursuant to Federal Rule of Civil Procedure 54(b) [Docket Nos. 830, 831] is hereby
GRANTED. Rule 54(b) final judgments are hereby entered on Counts 1-16, 33, 41-44 and 49-52
of the Second Amended Complaint (the "Bankruptcy Claims") and also on Counts 34-35 and 45-

48 of the Second Amended Complaint (the “Non-Bankruptcy Claims”), dismissing all such claims with prejudice as against all Affected Defendants.¹

Rule 54(b) final judgments are warranted in this case. First, this case involves multiple parties and multiple claims. Second, the decisions dismissing the Bankruptcy Claims and the Non-Bankruptcy Claims were final within the meaning of Rule 54(b) and 28 U.S.C. § 1291. *See, e.g., Estate of Metzermacher v. Nat’l R.R. Passenger Corp.*, 487 F. Supp. 2d 24, 27 (D. Conn. 2007); *Daniel, M.D. v. Am. Bd. of Emergency Medicine*, 212 F.R.D. 134, 139 (W.D.N.Y. 2002).

Lastly, there is no just reason for delaying an appeal of the Bankruptcy and Non-Bankruptcy Claims. Final judgments would promote the interests of judicial economy and fairness. *See, e.g., Curtiss-Wright Corp. v. General Electric Co.*, 446 U.S. 1, 8 (1980) (“[A] district court must take into account judicial administrative interests as well as the equities involved.”). The tort claims and the few other claims still pending (the “Remaining Claims”) will, unless dismissed as a matter of law, require factual inquiries into the actions of the Debtors, their management and directors, their independent auditors, and their other professional advisors, as well as of the remaining Defendants. Extensive discovery may be required. Accordingly, it is in the interests of the parties and the Court to enter final judgment on the Bankruptcy Claims and on the Non-Bankruptcy Claims and therefore, allow the Court and the parties to focus on the Remaining Claims.

Moreover, there is also no just reason to delay an appeal of the Bankruptcy and Non-Bankruptcy Claims because the issues to be considered on any appeal of the dismissal of these claims are separable from the merits of the Remaining Claims in this case. *See Curtiss-Wright*

¹ Affected Defendants has the same meaning as in the Stipulation Regarding Rule 54(b) Final Judgments, dated October 23, 2008. A list of Affected Defendants is attached hereto as Exhibit A. In accord with Local Rule 77.1, a list of the names of the parties entitled to be notified of the entry thereof and the names and addresses of their attorneys is appended as Exhibit B.

Corp., 446 U.S. at 8 (reasoning that a court may determine that there is no just reason to delay an appeal if the claims that were finally adjudicated are separable from the other remaining claims in the action). The question of whether the Bankruptcy Claims were properly dismissed is a separate and distinct question from the issues to be litigated on the merits of the Remaining Claims. In fact, this Court's dismissal of the Bankruptcy Claims "hinged on a legal determination [— standing —] that is entirely unrelated to, and separable from [the merits of the ART's] claims against the [remaining defendants]." *Estate of Metzermacher*, 487 F. Supp. 2d at 27 (citing *Hudson River Sloop Clearwater, Inc. v. Dep't of the Navy*, 891 F.2d 414, 418 (2d Cir. 1989)).

Similarly, the question of whether the Non-Bankruptcy Claims were properly dismissed as having failed as a matter of law to state a claim upon which relief could be granted is also separate from any factual issues surrounding the Remaining Claims. The Non-Bankruptcy Claims were dismissed as to all defendants and therefore, none of these claims remain pending against any other Defendant before this Court. *See, e.g., Hudson River Sloop Clearwater, Inc.*, 891 F.2d at 418 (reasoning that the separate and distinct test is satisfied because "[n]one of the causes of action remaining in the district court are concerned with [the issues which will be subject to the final judgment certification]"); *see also Fletcher*, 882 F.2d at 610 (reasoning that one of the obvious reasons for a final judgment was that "[t]he two severed causes of action [we]re independent from those left undecided").


The Court further finds that, entering final judgments under the standards of Rule 54(b) and allowing an appeal from the dismissed claims does not provide a basis for staying the proceedings on the Remaining Claims. The Court's finding that there is "no just reason" for delay of any appeal is based in part on its conclusion that the legal issues to be considered on

appeal of the dismissed claims are separable from the merits of the claims that will remain pending before this Court. Any stay of the litigation of the Remaining Claims based on the pendency of any appeal of the dismissed claims would be contrary to the conclusion herein that certification of final judgment pursuant to Rule 54(b) serves the purposes of judicial economy. All parties to this litigation received adequate notice of the Proposed Order and an opportunity to be heard.

Therefore, no stay shall be entered based on the pendency of any appeal of the dismissed claims and, as the Court finds that the requirements for a Rule 54(b) final judgment are otherwise satisfied, final judgments are hereby entered on Counts 1-4 (as to all UCA/HHC Co-Borrowing Lender defendants), 5-8 (as to all CCH Co-Borrowing Lender defendants), 9-12 (as to all Olympus Co-Borrowing Lender defendants), 13-16 (as to all Century -TCI Lender defendants), 33 (as to all defendants), 34 (as to all Co-Borrowing Lender defendants), 35 (as to all Century-TCI Lender defendants), 41 (as to all CCH Co-Borrowing Lender defendants), 42 (as to all Olympus Co-Borrowing Lender defendants), 43 (as to all Century-TCI Lender defendants), 44 (as to all Parnassos Lender defendants), 45 (as to all UCA/HHC Lender defendants), 46 (as to all CCH Co-Borrowing Lender defendants), 47 (as to all Olympus Lender defendants), 48 (as to all Co-Borrowing Lender defendants), 49 (as to all FrontierVision Lender defendants), 50 (as to all CCH Lender defendants), 51 (as to all Olympus Lender defendants), 52 (as to all UCA/HHC Lender defendants) of the Second Amended Complaint, dismissing such claims as against all Affected Defendants. (The terms in parentheses identify the defendants against whom each of those claims was asserted, and have the same definition as they do in the Second Amended Complaint.)

Dec. 8
Dated: ~~October~~ __, 2008

SO ORDERED:



Lawrence M. McKenna
United States District Court Judge

EXHIBIT A

AFFECTED DEFENDANTS

228 VARIABLE INSURANCE PRODUCTS FUND II: ASSET MANAGER PORTFOLIO
ABBAY NATIONAL TREASURY SERVICES PLC
ABN AMRO BANK N.V., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
ABN AMRO, INC.
ADDISON CDO, LIMITED
AERIES FINANCE-II LTD.
AG CAPITAL FUNDING PARTNERS, L.P.
AIG RETIREMENT SERVICES, INC.
AIM FLOATING RATE FUND
AIMCO CLO SERIES, 2000-A
AIMCO CLO SERIES, 2001-A
ALEXANDRA GLOBAL MASTER FUND LTD.
ALLSTATE LIFE INSURANCE CO.
ALPHA US SUB FUND II, LLC
AMARA 2 FINANCE, LTD.
AMARANTH FUND, L.P.
AMERIPRISE CERTIFICATE COMPANY
AMERIPRISE CERTIFICATE COMPANY (F/K/A AMERICAN EXPRESS CERTIFICATE COMPANY)
AMMC CDO I, LIMITED
AMMC CDO II, LTD.
AMMC CLO IV, LIMITEDP
AMMC CLO V, LIMITED
ANTHEM SOUTHEAST INC. (SUCCESSOR BY MERGER TO TRIGON HEALTHCARE, INC.)
APEX (IDM) CDO I, LTD.
APEX (TRIMARAN) CDO I, LTD.
AQUITANIA PARTNERS Q.P., L.P.
ARCHIMEDES FUNDING II, LTD.
ARCHIMEDES FUNDING III, LTD.
ARCHIMEDES FUNDING IV (CAYMAN), LTD.
ARES ENHANCED CREDIT OPPORTUNITIES FUND, LTD.
ARES III CLO LTD.
ARES IV CLO LTD.
ARES LEVERAGED INVESTMENT FUND II, L.P.
ARES LEVERAGED INVESTMENT FUND, L.P.
ARES V CLO LTD.
ARES VI CLO LTD.
ATHENA CDO LIMITED
AUGUSTA TRADING LLC
AURUM CLO 2002 - I LTD.
AVALON, LTD. 3 (F/K/A AVALON CAPITAL, LTD. 2)
AVENUE SPECIAL SITUATIONS FUND II, LP
AVL LOAN FUNDING LLC
AXIS/SRS LIMITED
BALANCED HIGH YIELD FUND II, LTD.
BALLYROCK CDO I LIMITED
BANC OF AMERICA SECURITIES LLC
BANCWEST CORP. (F/K/A FIRST HAWAIIAN BANK)
BANK OF AMERICA DISTRESSED TRADE
BANK OF AMERICA TRADE
BANK OF AMERICA, N.A., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

Page 1

AFFECTED DEFENDANTS

BANK OF MONTREAL, INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
BANK OF TOKYO MITSUBISHI UFJ TRUST COMPANY (F/K/A BANK OF TOKYO MITSUBISHI TRUST COMPANY)
BANK ONE CORP. (F/K/A FIRST NATIONAL BANK OF CHICAGO)
BANK ONE, N.A.
BARCLAYS BANK PLC, INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
BARCLAYS CAPITAL INC.
BATTERY PARK HIGH YIELD LONG SHORT FUND, LTD.
BATTERY PARK HIGH YIELD OPPORTUNITY MASTER FUND, LTD.
BAYERISCHE HYPO-UND VEREINSBANK AG (HVB)
BAYERISCHE LANDESBANK (F/K/A BAYERISCHE LANDESBANK GIROZENTRALE)
BAYERISCHE LANDESBANK (F/K/A BAYERISCHE LANDESBANK GIROZENTRALE)
BBT FUND LP
BEAR STEARNS CREDIT PRODUCTS
BEAR STEARNS INVESTMENT PRODUCTS
BEAR, STEARNS & CO., INC.
BELHURST CLO, LTD. (F/K/A AVALON CAPITAL, LTD.)
BLACK DIAMOND CLO 2000
BLACKROCK CORPORATE HIGH YIELD FUND III, INC. (F/K/A CORPORATE HIGH YIELD FUND III, INC.)
BLACKROCK CORPORATE HIGH YIELD FUND V, INC. (F/K/A CORPORATE HIGH YIELD FUND V, INC.)
BLACKROCK CORPORATE HIGH YIELD FUND VI, INC. (F/K/A CORPORATE HIGH YIELD FUND VI, INC.)
BLACKROCK CORPORATE HIGH YIELD FUND, INC. (F/K/A CORPORATE HIGH YIELD FUND, INC.)
BLACKROCK DEBT STRATEGIES FUND (F/K/A DEBT STRATEGIES FUND II, INC.)
BLACKROCK FLOATING RATE INCOME STRATEGIES FUND II, INC.
BLACKROCK FLOATING RATE INCOME STRATEGIES FUND, INC.
BLACKROCK FLOATING RATE INCOME STRATEGIES FUND, INC. (F/K/A FLOATING RATE INCOME STRATEGIES FUND, INC.)
BLACKROCK GLOBAL FLOATING RATE INCOME TRUST
BLACKROCK GLOBAL INVESTMENT SERIES: BANK LOAN INCOME PORTFOLIO
BLACKROCK LIMITED DURATION INCOME TRUST
BLACKROCK SENIOR FLOATING RATE FUND, INC. (F/K/A MERRILL LYNCH SENIOR FLOATING RATE FUND, INC.)
BLACKROCK SENIOR HIGH INCOME FUND, INC. (F/K/A SENIOR HIGH INCOME PORTFOLIO, INC.)
BLACKROCK SENIOR INCOME SERIES
BLACKROCK SENIOR INCOME SERIES III
BLACKROCK SENIOR LOAN TRUST
BLUE CROSS OF CALIFORNIA
BLUE SQUARE FUNDING SERIES 3
BMO CAPITAL MARKETS CORP. (F/K/A BMO NESBITT BURNS CORP.)
BMO CAPITAL MARKETS CORP. (F/K/A HARRIS NESBITT FINANCING INC.)
BMO CAPITAL MARKETS FINANCING, INC.
BNP PARIBAS
BNP PARIBAS (F/K/A BANQUE NATIONALE DE PARIS)
BNY CAPITAL MARKETS, INC.
BOSTON INCOME PORTFOLIO
BT HOLDINGS
CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM
CALYON
CALYON (F/K/A CREDIT AGRICOLE INDOSUEZ)
CALYON NEW YORK BRANCH (F/K/A CREDIT LYONNAIS, NEW YORK BRANCH), INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
CALYON SECURITIES (USA), INC. (F/K/A CREDIT LYONNAIS SECURITIES (USA), INC.)
CAMULOS MASTER FUND LP

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

CANDELA CAPITAL MANAGEMENT LLC
CANDLEWOOD CAPITAL PARTNERS LLC
CANPARTNERS INVESTMENTS IV, LLC
CAP FUND, L.P.
CAPTIVA III FINANCE LTD.
CAPTIVA IV FINANCE LTD.
CARAVELLE INVESTMENT FUND II, L.L.C.
CARAVELLE INVESTMENT FUND, LLC
CARLYLE HIGH YIELD PARTNERS II, LTD.
CARLYLE HIGH YIELD PARTNERS III, LTD.
CARLYLE HIGH YIELD PARTNERS IV, LTD.
CARLYLE HIGH YIELD PARTNERS, L.P.
CARLYLE LOAN INVESTMENT LTD.
CASTLERIGG MASTER INVESTMENTS LTD.
CEDAR CREEK SPIRET LOAN TRUST
CEDARVIEW OPPORTUNITIES MASTER FUND
CENTURION CDO II, LTD.
CENTURION CDO III, LTD.
CENTURY INTEREST
CENTURY POST PETITION INTEREST
CERES II FINANCE LTD.
CHARTER VIEW PORTFOLIO
CIBC WORLD MARKETS CORP.
CIBC, INC., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
CIC UNION EUROPÉENNE, INTERNATIONAL ET CIE
CITADEL HILL 2000, LTD.
CITI GOLDENTREE LTD.
CITIBANK, N.A., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
CITICORP USA, INC., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
CITIGROUP CONSOLIDATED
CITIGROUP FINANCIAL PRODUCTS, INC. (F/K/A SALOMON BROTHERS HOLDING CO., INC.)
CITIGROUP GLOBAL MARKETS HOLDINGS, INC. (F/K/A SALOMON SMITH BARNEY HOLDINGS, INC.), D/B/A SALOMON SMITH BARNEY, INC
CITIGROUP GLOBAL MARKETS, INC. (F/K/A SALOMON SMITH BARNEY)
CITIZENS BANK OF RHODE ISLAND
CITY NATIONAL BANK
CLYDESDALE CLO 2001-1, LTD.
CMI I LTD.
CN LOAN FUND, INC.
COHANZICK CREDIT OPPORTUNITIES
COLUMBUS LOAN FUNDING, LTD.
COLUMBUS NOVA CAPITAL MASTER FUND
CONCORDIA DISTRESSED DEBT FUND, L.P.
CONCORDIA MAC29 LTD.
CONFLUENT 2 LIMITED
CONFLUENT 3 LIMITED
CONTINENTAL CASUALTY COMPANY
CONTRARIAN FUNDS, LLC

AFFECTED DEFENDANTS

COOPERATIEVE CENTRALE RAIFFEISEN-BOERENLEEN BANK B.A., "RABOBANK NEDERLAND," NEW YORK BRANCH, INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
COOPERATIEVE CENTRALE RAIFFEISEN-BOERENLEENBANK B.A.
COSTANTINUS EATON VANCE CDO V, LTD.
COWEN AND COMPANY, LLC (F/K/A SG COWEN SECURITIES CORPORATION)
CREDIT INDUSTRIEL ET COMMERCIAL
CREDIT SUISSE CAPITAL FUNDING, INC. (F/K/A DLJ CAPITAL FUNDING, INC.), INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
CREDIT SUISSE INTERNATIONAL
CREDIT SUISSE LOAN FUNDING, LLC
CREDIT SUISSE SECURITIES (USA) LLC (F/K/A CREDIT SUISSE FIRST BOSTON CORPORATION)
CREDIT SUISSE SECURITIES (USA) LLC (F/K/A DONALDSON, LUFKIN & JENRETTE SECURITIES CORPORATION)
CREDIT SUISSE, CAYMAN BRANCH
CREDIT SUISSE, NEW YORK BRANCH (F/K/A CREDIT SUISSE FIRST BOSTON, NEW YORK BRANCH), INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
CSAM FUNDING I
CSAM FUNDING II
CYPRESS POINT TRADING LLC
CYPRESSTREE INVESTMENT FUND, LLC
CYPRESSTREE INVESTMENT FUND, LLC
CYPRESSTREE INVESTMENT PARTNERS I, LTD.
CYPRESSTREE INVESTMENT PARTNERS II, LTD.
D.E. SHAW LAMINAR PORTFOLIOS, LLC
DB HOLDINGS (NEW YORK), INC.
DB STRUCTURED PRODUCTS, INC.
DB STRUCTURED PRODUCTS, INC. (F/K/A DEUTSCHE BANK SHARPS PIXLEY, INC.)
DEBT STRATEGIES FUND III, INC.
DEBT STRATEGIES FUND, INC.
DEBT STRATEGIES FUND, INC.
DELANO COMPANY #274
DEUTSCHE BANK ALEX BROWN, INC. (F/K/A BT ALEX BROWN, INC.)
DEUTSCHE BANK AG CAYMAN ISLANDS
DEUTSCHE BANK AG LONDON
DEUTSCHE BANK AG, NEW YORK BRANCH
DEUTSCHE BANK TRUST COMPANY AMERICAS
DEUTSCHE BANK TRUST COMPANY AMERICAS (F/K/A BANKERS TRUST COMPANY), INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
DEXIA CREDIT LOCAL (F/K/A CREDIT LOCAL DE FRANCE)
DEXIA CREDIT LOCAL NEW YORK BRANCH (F/K/A CREDIT LOCALE FRANCE -- NEW YORK AGENCY)
DIVERSIFIED INVESTORS HIGH YIELD BOND FUND
DRESDNER BANK AG
DRESDNER BANK AG, NEW YORK AND GRAND CAYMAN BRANCHES
DRYDEN HIGH YIELD CDO 2001-I
DRYDEN LEVERAGED LOAN CDO 2002-II
DZ BANK AG DEUTSCHE ZENTRAL-GENOSSENSCHAFTS BANK
DZ BANK AG DEUTSCHE ZENTRAL-GENOSSENSCHAFTSBANK (F/K/A DG BANK DEUTSCHE GENOSSENSCHAFTSBANK AG)
DZ BANK AG DEUTSCHE ZENTRAL-GENOSSENSCHAFTSBANK, FRANKFURT AM MAIN (SUCCESSOR-BY-MERGER TO DG BANK DEUTSCHE GENOSSENSCHAFTSBANK AG)
EAGLE MASTER FUND, LTD.
EATON VANCE CDO II, LTD.
EATON VANCE CDO III, LTD.

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

EATON VANCE CDO IV, LTD.
EATON VANCE INSTITUTIONAL SENIOR LOAN FUND
EATON VANCE SENIOR INCOME TRUST
ECO MASTER FUND LIMITED
ELC (CAYMAN) LTD.
ELC (CAYMAN) LTD. 1999-III
ELC (CAYMAN) LTD. 2001-I
ELC (CAYMAN) LTD. CDO SERIES 1999-I
ELC (CAYMAN) LTD. CDO SERIES 1999-III
ELC (CAYMAN) LTD. CDO SERIES 2000-I
ELC (CAYMAN) LTD. SERIES 1999-I
ELF FUNDING TRUST I
ELF FUNDING TRUST I (F/K/A ELF FUNDING TRUST)
ELF FUNDING TRUST III
ELI BROAD
ELI BROAD FOUNDATION
ELT LTD.
EMERALD ORCHARD LIMITED
ENDURANCE CLO I, LTD.
EOS PARTNERS, L.P.
ERSTE BANK DER OESTERREICHISCHEN SPARKASSEN AG
ERSTE BANK NEW YORK BRANCH (D/B/A ERSTE BANK)
ESSEX PARK CDO LTD.
EVERGREEN FUNDING LTD., CO.
EXIS HOLDING, LTD.
FALL CREEK CLO LTD.
FC CBO IV LIMITED
FERNWOOD ASSOCIATES LLC (F/K/A FERNWOOD ASSOCIATES LP)
FIDELITY ADVISOR SERIES I: FIDELITY ADVISOR BALANCED FUND (219)
FIDELITY ADVISOR SERIES II: FIDELITY ADVISOR FLOATING RATE HIGH INCOME FUND (161) [The correct legal name for this entity is Fidelity Advisors Series II: Fidelity Advisor Floating Rate High Income Fund (161)]
FIDELITY ADVISOR SERIES II: FIDELITY ADVISOR HIGH INCOME FUND (374) [The correct legal name for this entity is Fidelity Advisor Series I: Fidelity Advisor High Income Fund (374)]
FIDELITY ADVISOR SERIES II: FLOATING RATE HIGH INCOME [The correct legal name for this entity is Fidelity Advisor Series I: Fidelity Floating Rate High Income]
FIDELITY ADVISOR SERIES II: STRATEGIC INCOME (638) [The correct legal name for this entity is Fidelity Advisor Series II: Fidelity Advisor Strategic Income (638)]
FIDELITY CENTRAL INVESTMENT PORTFOLIOS II LLC [The correct legal name for this entity is Fidelity Central Investment Portfolios, LLC: Fidelity High Income Central Fund I]
FIDELITY CENTRAL INVESTMENT PORTFOLIOS LLC [The correct legal name for this entity is Fidelity Central Investment Portfolios LLC: Fidelity Floating Rate Central Fund]
FIDELITY CHARLES STREET TRUST: FIDELITY ASSET MANAGER (314) [The correct legal name for this entity is Fidelity Charles Street Trust: Fidelity Asset Manager 50% (314)]
FIDELITY CHARLES STREET TRUST: FIDELITY ASSET MANAGER: GROWTH (321) [The correct legal name for this entity is Fidelity Charles Street Trust: Fidelity Asset Manager 70% (321)]
FIDELITY HIGH YIELD BOND COLLECTIVE TRUST [The correct legal name for this entity is Pyramis High Yield Bond Commingled Pool (f/k/a Fidelity High Yield Bond Collective Trust)]
FIDELITY HIGH YIELD COLLECTIVE [The correct legal name for this entity is Pyramis High Yield Bond Commingled Pool (f/k/a Fidelity High Yield Bond Collective Trust)]
FIDELITY INSTITUTIONAL HIGH YIELD [The correct legal name for this entity is Pyramis High Yield LLC (f/k/a/Fidelity Institutional High Yield T2253)]
FIDELITY PURITAN TRUST: FIDELITY PURITAN FUND
FIDELITY SCHOOL STREET TRUST: FIDELITY STRATEGIC INCOME FUND
FIDELITY SUMMER STREET TRUST: FIDELITY CAPITAL & INCOME FUND (38)

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

FIDELITY SUMMER STREET TRUST: FIDELITY HIGH INCOME FUND (455) [The correct legal name for this entity is Fidelity Summer Street Trust: Fidelity High Income (455)]
FIFTH THIRD BANCORP
FIRST ALLMERICA FINANCIAL LIFE INSURANCE COMPANY
FIRST DOMINION FUNDING I
FIRST DOMINION FUNDING II
FIRST DOMINION FUNDING III
FIRST TRUST/FOUR CORNERS SENIOR FLOATING INCOME FUND II
FIRST TRUST/FOUR CORNERS SENIOR FLOATING RATE INCOME FUND
FIRST TRUST/HIGHLAND CAPITAL FLOATING RATE INCOME FUND II
FIRST UNION NATIONAL BANK (CAROLINA PORTFOLIO)
FIRST UNION PAR TRADING
FIRSTAR BANK, N.A.
FIVE FINANCE CORPORATION
FLAGSHIP CLO 2001-1
FLAGSHIP CLO II
FLAGSHIP CLO IV
FLEET NATIONAL BANK (F/K/A BANK BOSTON, N.A.)
FLEET NATIONAL BANK, INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
FLEET SECURITIES, INC.
FLOATING RATE PORTFOLIO
FOOTHILL INCOME TRUST II, L.P.
FORTIS CAPITAL CORP.
FORTIS CAPITAL CORP. (F/K/A MEESPIERSON CAPITAL CORP.)
FRANKLIN CLO I, LIMITED
FRANKLIN CLO II, LIMITED
FRANKLIN CLO III, LIMITED
FRANKLIN FLOATING RATE DAILY ACCESS FUND
FRANKLIN FLOATING RATE DAILY ACCESS FUND, INDIVIDUALLY AND AS SUCCESSOR TO FRANKLIN FLOATING RATE TRUST'S INTERESTS IN THE CREDIT FACILITIES AT ISSUE
FRANKLIN FLOATING RATE MASTER SERIES
GABRIEL CAPITAL LP
GALAXY CLO 1999-1, LTD.
GLENEAGLES TRADING LLC
GOLDENTREE 2004 TRUST
GOLDENTREE CREDIT OPPORTUNITIES FINANCING I, LTD. (F/K/A GOLDENTREE CREDIT OPPORTUNITIES)
GOLDENTREE CREDIT OPPORTUNITIES FINANCING II, LIMITED
GOLDENTREE HIGH YIELD MASTER FUND, LTD. (F/K/A GOLDENTREE MASTER FUND, LTD.)
GOLDENTREE HIGH YIELD OPPORTUNITIES I, L.P.
GOLDENTREE HIGH YIELD OPPORTUNITIES II, L.P.
GOLDENTREE HIGH YIELD VALUE MASTER FUND, L.P.
GOLDENTREE LOAN OPPORTUNITIES I, LTD.
GOLDENTREE LOAN OPPORTUNITIES II, LTD.
GOLDENTREE MASTER FUND II, LTD.
GOLDENTREE MASTER FUND, LTD.
GOLDENTREE MASTER FUND, LTD. (F/K/A GOLDENTREE MASTER FUND)
GOLDENTREE MULTISTRATEGY FINANCING, LTD
GOLDMAN SACHS & CO.
GOLDMAN SACHS CREDIT PARTNERS L.P.
GOLDMAN SACHS CREDIT PARTNERS, L.P.
GPC LVIII, LLC
GRACIE CAPITAL, L.P.

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

GRAND CENTRAL ASSET TRUST DHV SERIES
GRAND CENTRAL ASSET TRUST HLD
GRAND CENTRAL ASSET TRUST SIL
GRAND CENTRAL ASSET TRUST SINGLE NAME SERIES
GRAND CENTRAL ASSET TRUST SOH
GRAND CENTRAL ASSET TRUST SOLA
GRANITE FINANCE LIMITED
GRAYSON & CO.
GREAT AMERICAN INSURANCE CO.
GREAT AMERICAN LIFE INSURANCE CO.
GREAT POINT CLO 1999-1, LTD
GREENWICH INTERNATIONAL LTD.
GREYSTONE CLO LTD.
GREYWOLF LOAN PARTICIPATION LLC
GSC RECOVERY II, L.P.
GSC RECOVERY IIA, L.P.
HALCYON FUND, L.P.
HALCYON RESTRUCTURING FUND, L.P.
HAMILTON CDO, LTD.
HAMPTON FUNDING LLC
HARBOUR TOWN FUNDING, LLC
HARBOURVIEW CDO II, LTD.
HARBOURVIEW CDO IV, LTD.
HARBOURVIEW CLO II, LIMITED
HARBOURVIEW CLO IV, LTD.
HARBOURVIEW CLO IV, LTD.
HARBOURVIEW CLO V, LTD.
HARCH CLO I, LTD.
HARTFORD FLOATING RATE FUND
HCMZ SPECIAL OPPORTUNITIES LLC
HIGH INCOME PORTFOLIO
HIGHLAND CREDIT OPPORTUNITIES CDO, LTD.
HIGHLAND CREDIT STRATEGIES FUND
HIGHLAND FLOATING RATE ADVANTAGE FUND
HIGHLAND FLOATING RATE ADVANTAGE FUND (F/K/A LIBERTY-STEIN ROE ADVISOR FLOATING RATE ADVANTAGE FUND)
HIGHLAND FLOATING RATE FUND LLC
HIGHLAND FLOATING RATE LLC (F/K/A STEIN ROE FLOATING RATE LIMITED LIABILITY COMPANY)
HIGHLAND LEGACY LIMITED
HIGHLAND LOAN FUNDING V, LTD.
HIGHLAND OFFSHORE PARTNERS
HSBC BANK USA
IBJ WHITEHALL FUNDING 2001 TRUST
ILLINOIS MUNICIPAL RETIREMENT FUND
INDOSUEZ CAPITAL FUNDING IIA, LIMITED
INDOSUEZ CAPITAL FUNDING IV, L.P.
INDOSUEZ CAPITAL FUNDING VI, LTD.
ING INTERNATIONAL II SENIOR BANK LOANS EURO
ING INTERNATIONAL II SENIOR BANK LOANS USD
ING PRIME RATE TRUST (F/K/A PILGRIM AMERICA PRIME RATE TRUST)
ING PRIME RATE TRUST (F/K/A PILGRIM AMERICA PRIME RATE TRUST)
ING PRIME RATE TRUST (F/K/A PILGRIM PRIME RATE TRUST)
ING SENIOR INCOME FUND

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

ING SENIOR INCOME FUND (F/K/A ING PILGRIM SENIOR INCOME FUND)
ING SENIOR INCOME FUND (F/K/A PILGRIM SENIOR INCOME FUND)
INVESTMENT FUND II LLC
INVESTMENT PARTNERS I
J.H. WHITNEY MARKET VALUE FUND, L.P.
JACKSON NATIONAL LIFE INSURANCE COMPANY
JISSEKIKUN FUNDING, LTD.
JP MORGAN CHASE BANK, N.A. & CO. (F/K/A CHASE MANHATTAN BANK, N.A.), INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
JPMORGAN CHASE BANK, N.A.
JPMORGAN CHASE BANK, N.A. (F/K/A THE CHASE MANHATTAN BANK)
JPMORGAN SECURITIES, INC. (F/K/A CHASE SECURITIES, INC.)
JUPITER LOAN FUNDING LLC
KALDI FUNDING LLC
KATONAH I, LTD.
KATONAH II, LTD.
KATONAH III, LTD.
KENNETT CAPITAL, INC.
KEY BANK OF NEW YORK
KING STREET CAPITAL, L.P.
KINGSLAND I LTD.
KINGSLAND II LTD.
KINGSLAND III LTD.
KNIGHT CBNA LOAN FUNDING KNIGHT
KZH CNC LLC
KZH CYPRESSTREE-1 LLC
KZH HIGHLAND-2 LLC
KZH HOLDING CORPORATION III
KZH III LLC
KZH ING-1 LLC
KZH ING-2 LLC
KZH ING-3 LLC
KZH LANGDALE LLC
KZH PAMCO LLC
KZH PONDVIEW LLC
KZH RIVERSIDE LLC
KZH SHOSHONE LLC
KZH SOLEIL LLC
KZH SOLEIL-2 LLC
KZH STERLING LLC
KZH WATERSIDE LLC
LANDMARK CDO LIMITED
LATIGO MASTER FUND, LTD.
LCM I LIMITED PARTNERSHIP
LEGG MASON PARTNERS VARIABLE PORTFOLIOS III, INC. (F/K/A TRAVELERS SERIES FUND, INC.)
LEHMAN BROTHERS HOLDINGS, INC.
LEHMAN COMMERCIAL PAPER, INC.
LEHMAN SYNDICATED LOAN FUNDING TRUST
LIBERTYVIEW FUNDS, LP
LL PEACHTREE FUNDING LLC
LMP CORPORATE LOAN FUND INC.
LMP CORPORATE LOAN FUND INC. (F/K/A TRAVELERS CORPORATE LOAN FUND, INC.)
LMP CORPORATE LOAN FUND, INC. (F/K/A CITIGROUP INVESTMENTS CORPORATE)

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

LOAN FUNDING IX LLC
LONG LANE MASTER TRUST II
LONG LANE MASTER TRUST IV
LONGACRE CAPITAL PARTNERS
LONGACRE MASTER FUND, LTD.
LONGHORN CDO (CAYMAN) LTD.
LONGHORN II CDO (CAYMAN) LTD.
M D SASS RE/ENTERPRISE PORTFOLIO
MACQUARIE/FIRST TRUST GLOBAL INFRASTRUCTURE/UTILITIES DIVIDEND & INCOME FUND (F/K/A MACQUARIE FIRST TRUST GLOBAL INFRASTRUCTURE DIVIDEND & INCOME FUND)
MAGNETITE ASSET INVESTORS III LLC
MAGNETITE ASSET INVESTORS L.L.C.
MAGNETITE IV CLO, LIMITED
MAINSTAY FLOATING RATE FUND, A
MANUFACTURERS & TRADERS TRUST COMPANY
MANUFACTURERS & TRADERS TRUST COMPANY (F/K/A FIRST NATIONAL BANK OF MARYLAND)
MANUFACTURERS AND TRADERS TRUST COMPANY (F/K/A ALLFIRST BANK)
MARATHON SPECIAL OPPORTUNITY MASTER FUND, LTD.
MASTER SENIOR FLOATING RATE TRUST
MCDONNELL LOAN OPPORTUNITY LTD.
MEESPIERSON N.V.
MELLON BANK, N.A.
MERRILL LYNCH & CO., INC.
MERRILL LYNCH CAPITAL CORP., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
MERRILL LYNCH CREDIT PRODUCTS LLC
MERRILL LYNCH DEBT STRATEGIES FUND II, INC.
MERRILL LYNCH GLOBAL INVESTMENT SERIES: INCOME STRATEGIES PORTFOLIO
MERRILL LYNCH SENIOR FLOATING RATE PORTOLIO
MERRILL LYNCH, PIERCE, FENNER AND SMITH INCORPORATED
METLIFE INSURANCE CO. OF CONNECTICUT (F/K/A THE TRAVELERS INSURANCE COMPANY)
MITSUBISHI UFI TRUST AND BANKING CORPORATION (F/K/A MITSUBISHI TRUST AND BANKING CORPORATION)
MIZUHO CORPORATE BANK, LTD.
MIZUHO FINANCIAL GROUP, INC. (F/K/A THE DAI-ICHI KANGYO BANK, LTD.)
MIZUHO FINANCIAL GROUP, INC. (F/K/A THE FUJI BANK, LIMITED), INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
MIZUHO FINANCIAL GROUP, INC. (F/K/A THE INDUSTRIAL BANK OF JAPAN, LIMITED)
MIZUHO GLOBAL LIMITED
ML CLO XV PILGRIM AMERICA (CAYMAN) LTD.
ML CLO XX PILGRIM AMERICA (CAYMAN) LTD.
ML INCOME STRATEGIES PORTFOLIO
MONUMENT CAPITAL LTD.
MORGAN GUARANTY TRUST COMPANY
MORGAN STANLEY & CO., INC.
MORGAN STANLEY EMERGING MARKETS, INC.
MORGAN STANLEY PRIME INCOME TRUST
MORGAN STANLEY PRIME INCOME TRUST (F/K/A MORGAN STANLEY DEAN WITTER PRIME INCOME TRUST)
MORGAN STANLEY SENIOR FUNDING, INC., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
MOUNTAIN CAPITAL CLO I
MOUNTAIN CAPITAL CLO II
MSD CAPITAL, L.P.
MUIRFIELD TRADING, LLC

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

MUZINICH CASHFLOW CBO II LTD.
MW POST PORTFOLIO FUND, LTD
MYERS CABLEVISION LLC
NATIONAL CITY BANK (F/K/A NATIONAL CITY BANK OF PENNSYLVANIA)
NATIONAL WESTMINSTER BANK PLC
NATIONWIDE LIFE AND ANNUITY INSURANCE COMPANY
NATIONWIDE LIFE INSURANCE CO.
NATIONWIDE MUTUAL INSURANCE COMPANY
NATIXIS, NEW YORK BRANCH (F/K/A NATEXIS BANQUES POPULAIRES, NEW YORK BRANCH)
NAUTIQUE FUNDING LTD.
NEMEAN CLO, LTD.
NEW ALLIANCE GLOBAL CDO, LIMITED
NEW YORK LIFE INSURANCE AND ANNUITY CO.
NEW YORK LIFE INSURANCE COMPANY
NOMURA BOND & LOAN FUND
NORTHWOODS CAPITAL II, LTD.
NORTHWOODS CAPITAL III, LTD.
NORTHWOODS CAPITAL, LTD.
NUVEEN FLOATING RATE INCOME FUND
NUVEEN FLOATING RATE INCOME OPPORTUNITY FUND
NUVEEN SENIOR INCOME FUND
OAK HILL CLO MANAGEMENT I, LLC
OAK HILL CREDIT ALPHA FUND (OFFSHORE), LTD.
OAK HILL CREDIT ALPHA FUND, LP
OAK HILL CREDIT PARTNERS I, LIMITED
OAK HILL SECURITIES FUND II, LP
OAK HILL SECURITIES FUND, L.P.
OAK MOUNTAIN LIMITED
OCTAGON CREDIT INVESTORS LOAN PORTFOLIO
OHIO PUBLIC EMPLOYEES RETIREMENT
OLIGRA43
OLYMPIC FUNDING TRUST, SERIES 1999-1
OLYMPIC FUNDING TRUST, SERIES 1999-1
ONE EAST PARTNERS MASTER LP
OPPENHEIMER SENIOR FLOATING RATE FUND.
ORYX CLO, LTD.
OSPREY INVESTMENTS PORTFOLIO
OWL CREEK ASSET MANAGEMENT, L.P.
OXFORD STRATEGIC INCOME FUND
PACIFICA PARTNERS I, L.P.
PAM CAPITAL FUNDING L.P.
PAMCO CAYMAN LTD.
PAYDEN HIGH INCOME FUND (F/K/A HIGH INCOME FUND)
PAYDEN OPPORTUNITY BOND FUND (F/K/A THE TOTAL RETURN FUND)
PERRY PRINCIPALS, LLC
PHOENIX-GOODWIN HIGH YIELD FUND
PILGRIM AMERICA HIGH INCOME INVESTMENTS, LTD.
PILGRIM CLO 1999-1 LTD.
PIMCO CORPORATE INCOME FUND
PIMCO HIGH YIELD FUND (ACCOUNT 705)
PINEHURST TRADING, INC.
PIONEER FLOATING RATE TRUST
PNC BANK, N.A.

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

PNC BANK, N.A., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
PNC CAPITAL MARKETS LLC (F/K/A PNC CAPITAL MARKETS, INC.)
POST DISTRESSED FUND, L.P. (F/K/A POST OPPORTUNITY FUND, L.P.)
POST DISTRESSED OFFSHORE FUND, LTD. (F/K/A MW POST OPPORTUNITY OFFSHORE FUND, LTD.)
POST STRATEGIC FUND II, L.P. (F/K/A POST BALANCED FUND, L.P.)
POST STRATEGIC FUND, L.P. (F/K/A POST HIGH YIELD, L.P.)
POST TOTAL RETURN FUND, L.P.
PPM SHADOW CREEK FUNDING LLC
PPM SPYGLASS FUNDING TRUST
PRINCIPAL LIFE INSURANCE COMPANY
PROVIDENCE CAPITAL LLC
PROVIDENT - PNC
PRUDENTIAL INSURANCE COMPANY OF AMERICA
PUTNAM DIVERSIFIED INCOME TRUST
PUTNAM FLOATING RATE INCOME FUND
PUTNAM FUNDS TRUST - PUTNAM HIGH YIELD TRUST II
PUTNAM HIGH YIELD ADVANTAGE FUND
PUTNAM HIGH YIELD FIXED INCOME FUND
PUTNAM HIGH YIELD MANAGED TRUST
PUTNAM HIGH YIELD TRUST
PUTNAM MANAGED HIGH YIELD TRUST
PUTNAM MASTER INCOME TRUST
PUTNAM MASTER INTERMEDIATE INCOME TRUST
PUTNAM PREMIER INCOME TRUST
PUTNAM STRATEGIC INCOME FUND
PUTNAM VARIABLE TRUST - PVT DIVERSIFIED INCOME FUND
PUTNAM VARIABLE TRUST - PVT HIGH YIELD FUND
QDRF MASTER LTD.
QUADRANGLE MASTER FUNDING LTD.
QUANTUM PARTNERS, LLC
RABOBANK INTERNATIONAL, NEW YORK BRANCH
RACE POINT CLO, LIMITED
RAINTREE TRADING LLC
RAVEN CREDIT OPPORTUNITIES MASTER FUND, LTD.
REDWOOD MASTER FUND, LTD.
REGENTS OF THE UNIVERSITY OF CALIFORNIA
RELLANCE STANDARD LIFE INSURANCE COMPANY
RESOLUTION MASTER FUND LP
RESTORATION FUNDING CLO, LTD.
REYNOLDS AMERICAN DEFINED BENEFIT MASTER TRUST
REYNOLDS AMERICAN DEFINED MASTER TRUST (F/K/A B & W MASTER TOBACCO FUND)
RITCHIE SPECIAL CREDIT INVESTMENTS
RIVERSOURCE LIFE INSURANCE COMPANY (F/K/A IDS LIFE INSURANCE COMPANY)
RIVIERA FUNDING LLC
ROSEMONT CLO, LTD.
ROYAL BANK OF CANADA
ROYALTON COMPANY
SAFETY NATIONAL CASUALTY CORP.
SAGAMORE HILL HUB FUND LTD.
SANDLER ASSOCIATES, LP
SANDLER COMMUNICATIONS OFFSHORE FUND, INC.
SANKATY HIGH YIELD ASSET PARTNERS II, L.P.

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

SANKATY HIGH YIELD ASSET PARTNERS III, L.P.
SANKATY HIGH YIELD ASSET PARTNERS, L.P.
SARATOGA CLO I LIMITED
SATELLITE SENIOR INCOME FUND II, LLC
SATELLITE SENIOR INCOME FUND, LLC
SAWGRASS TRADING LLC
SCOTIA CAPITAL (USA), INC.
SCUDDER FLOATING RATE FUND
SCUDDER FLOATING RATE FUND (F/K/A KEMPER FLOATING RATE FUND)
SEABOARD CLO 2000 LTD.
SECURITY INCOME FUND - INCOME OPPORTUNITY SERIES
SEI INSTITUTIONAL INVESTMENTS TRUST
SEI INSTITUTIONAL MANAGED TRUST
SEMINOLE FUNDING LLC
SENECA CAPITAL, L.P.
SENIOR DEBT PORTFOLIO
SENIOR LOAN FUND 2
SEQUILS-CENTURION V, LTD.
SEQUILS-CUMBERLAND I, LTD.
SEQUILS-ING (HBDGM), LTD.
SEQUILS-MAGNUM, LTD.
SEQUILS-PILGRIM I, LTD.
SHINSEI BANK, LIMITED (F/K/A THE LONG-TERM CREDIT BANK OF JAPAN, LTD.)
SIERRA CLO I LTD.
SIGNATURE 1A (CAYMAN), LTD.
SILVER OAK CAPITAL LLC
SKANDINAVISKA ENSKILDA BANKEN (AB)
SL LOANS I LIMITED
SMOKY RIVER CDO, L.P. (F/K/A INDOSUEZ CAPITAL FUNDING IV)
SMOKY RIVER CDO, LP
SOCIÉTÉ GÉNÉRALE, S.A., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
SOF INVESTMENTS, L.P.
SOL LOAN FUNDING LLC
SPCP GROUP, L.L.C.
SPECTRUM INVESTMENT PARTNERS LP
SPRUGOS INVESTMENTS IV, LLC
SRF 2000 LLC
SRF TRADING, INC.
SRI FUND
SRS STRATEGIES (CAYMAN), L.P.
SRV-HIGHLAND, INC.
STANFIELD ARBITRAGE CDO, LTD.
STANFIELD CLO, LTD.
STANFIELD QUATTRO CLO, LTD.
STANFIELD RMF TRANSATLANTIC CDO, LTD.
STANWICH LOAN FUNDING LLC
STATE OF SOUTH DAKOTA RETIREMENT SYSTEM
STEIN ROE & FARNHAM CLO I LTD.
STEPHEN ADAMS LIVING TRUST
STRAND FUNDING
STRATEGIC MANAGED LOAN PORTFOLIO
SUMITOMO MITSUI BANKING CORPORATION

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

SUMITOMO MITSUI BANKING CORPORATION (F/K/A THE SUMITOMO BANK, LIMITED)
SUN LIFE ASSURANCE COMPANY OF CANADA (U.S.) (SUCCESSOR BY MERGER TO KEYPORT LIFE INSURANCE COMPANY)
SUNAMERICA LIFE INSURANCE COMPANY
SUNAMERICA SENIOR FLOATING RATE FUND, INC.
SUNAMERICA SENIOR FLOATING RATE FUND, INC. (F/K/A NORTH AMERICAN SENIOR FLOATING RATE FUND, INC.)
SUNTRUST BANK
SUNTRUST BANK, INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
SUNTRUST INVESTMENT CAPITAL MARKETS, INC. (F/K/A SUNTRUST SECURITIES, INC.)
SWISS LIFE US RAINBOW LIMITED
SYNDICATED LOAN FUNDING TRUST
T. ROWE PRICE HIGH YIELD FUND
T. ROWE PRICE INSTITUTIONAL HIGH YIELD FUND
TD SECURITIES (USA) LLC
THALES HOLDINGS LTD., INC.
THE ASSETS MANAGEMENT COMMITTEE OF THE COCA-COLA MASTER RETIREMENT TRUST
THE BANK OF NEW YORK
THE BANK OF NEW YORK MELLON CORP. (F/K/A MELLON BANK, CORP.)
THE BANK OF NEW YORK, INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
THE BANK OF NOVA SCOTIA, INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
THE ING CAPITAL SENIOR SECURED HIGH INCOME HOLDINGS FUND, LTD.
THE OPPORTUNITY FUND, LLC
THE PRESIDENT AND FELLOWS OF HARVARD COLLEGE
THE PRESIDENT AND FELLOWS OF HARVARD COLLEGE (REF. HARVARD SPECIAL SITUATIONS ACCOUNT)
THE ROYAL BANK OF SCOTLAND, PLC, INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
THE SUMITOMO TRUST & BANKING CO., LTD.
THE SUMITOMO TRUST & BANKING CO., LTD., NEW YORK BRANCH
THE TORONTO-DOMINION BANK
THIRD AVENUE TRUST (ON BEHALF OF THE THIRD AVENUE VALUE FUND SERIES)
THIRD AVENUE VALUE FUND SERIES
THRACIA LLC
TORONTO DOMINION (TEXAS), INC.
TORONTO DOMINION (TEXAS), INC., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
TRANSAMERICA LIFE INSURANCE COMPANY (F/K/A PFL LIFE INSURANCE COMPANY)
TRAVELERS SERIES FUND, INC.-PUTNAM
TRILOGY PORTFOLIO COMPANY LLC
TRS CALLISTO LLC
TRS ELARA LLC
TRS IO LLC
TRS PLAINFIELD LLC
TRS THEBE LLC
TRYON CLO LTD. 2000-1
TUSCANY CDO LTD.
TYLER TRADING, INC.
U.S. BANK NATIONAL ASSOCIATION
UBS AG
UBS AG, STAMFORD BRANCH
UNION BANK OF CALIFORNIA, N.A.

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

UNITED OF OMAHA LIFE INSURANCE COMPANY
UNIVERSITY OF CHICAGO
VAN KAMPEN SENIOR INCOME TRUST
VAN KAMPEN SENIOR LOAN FUND
VAN KAMPEN SENIOR LOAN FUND (F/K/A VAN KAMPEN AMERICAN CAPITAL PRIME RATE TRUST)
VAN KAMPEN SENIOR LOAN FUND (F/K/A VAN KAMPEN PRIME RATE INCOME TRUST)
VAN KAMPEN SENIOR LOAN FUND (F/K/A VAN KAMPEN SENIOR FLOATING RATE FUND)
VARIABLE INSURANCE PRODUCTS FUND II: ASSET MANAGER PORTFOLIO (222) [The correct legal name for this entity is Variable Insurance Products Fund V: Asset Manager Portfolio (228)]
VARIABLE INSURANCE PRODUCTS FUND II: ASSET MANAGER: GROWTH PORTFOLIO [The correct legal name for this entity is Variable Insurance Products Fund V: Asset Manager Growth Portfolio (159)]
VARIABLE INSURANCE PRODUCTS FUND: HIGH INCOME PORTFOLIO
VARIABLE INSURANCE PRODUCTS FUND: VIP HIGH INCOME PORTFOLIO [The correct legal name for this entity is Variable Insurance Products Fund: High Income Portfolio]
VENTURE CDO 2002, LIMITED
WACHOVIA BANK, NATIONAL ASSOCIATION (F/K/A CORESTATES FINANCIAL CORPORATION)
WACHOVIA BANK, NATIONAL ASSOCIATION (F/K/A FIRST UNION NATIONAL BANK), INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN
WACHOVIA CAPITAL MARKETS, LLC. (F/K/A FIRST UNION SECURITIES, INC.)
WASATCH CLO, LTD. (F/K/A SEQUILS-LIBERTY, LTD.)
WATERVILLE FUNDING LLC
WB LOAN FUNDING 3 LLC
WBNA
WEBSTER BANK
WHIPPOORWILL DISTRESSED OPPORTUNITY FUND
WHIPPOORWILL OFFSHORE DISTRESSED OPPORTUNITY
WHITNEY PRIVATE DEBT FUND, L.P.
WINDSOR LOAN FUNDING, LIMITED
WINGED FOOT FUND TRUST
YORK CAPITAL MANAGEMENT LP

EXHIBIT B

Bank	Counsel
ABN AMRO Bank N.V.	Jenna Z. Nicenko, Esq. White & Case LLP 1155 Avenue of the Americas New York, NY 10036-2787
ABN AMRO Inc.	Joon Kim, Esq. Cleary Gottlieb Steen & Hamilton LLP One Liberty Plaza New York, NY 10006
Adelphia Recovery Trust	Deirdre Connell, Esq. Jenner & Block LLP 330 N. Wabash Chicago, Illinois 60611
Bank of America, N.A. Fleet National Bank	Richard D. Anigian, Esq. Haynes & Boone LLP 901 Main Street, Suite 3100 Dallas, TX 75202-3789 Judith Elkin, Esq. Haynes & Boone LLP 153 East 53 rd Street, Suite 4900 New York, NY 10022
Bank of Montreal BMO Capital Markets Corp.	Jean-Marie L. Atamian, Esq. Mayer Brown LLP 1675 Broadway, Suite 1900 New York, NY 10019-5820
The Bank of New York Co, Incorporated Morgan Stanley Senior Funding, Inc.	Christopher M. Joralemon, Esq. Clifford Chance LLP 31 W 52 nd Street New York, NY 10019
The Bank of Nova Scotia	Michael Luskin, Esq. Hughes Hubbard & Reed LLP One Battery Park Plaza New York, New York 10004-1482
Barclays Bank PLC Barclays Capital Inc.	Richard S. Miller, Esq. Kirkpatrick Lockhart Preston Gates Ellis LLP 599 Lexington Avenue New York, NY 10022
BNP Paribas	James M. Bergin, Esq. Morrison & Foerster LLP

	1290 Avenue of the Americas New York, NY 10104
Calyon New York Branch Calyon Securities (USA) Inc.	Andrew Brozman, Esq. Clifford Chance LLP 31 West 52 nd Street New York, NY 10019-6131
CIBC, Inc.	Scott D. Talmadge, Esq. Kaye Scholer LLP 425 Park Avenue New York, New York 10022-3598
Citibank, N.A., Citicorp USA, Inc.	Anthony Pellegrino, Esq. Milbank Tweed Hadley & McCloy LLP 1 Chase Manhattan Plaza New York, NY 10005-1413
Citizens Bank	Jean-Paul Jaillet, Esq. Choate, Hall & Stewart LLP Two International Place Boston, MA 02110
Credit Suisse, New York Branch Credit Suisse Securities (USA) LLC Credit Suisse Capital Funding, Inc. The Royal Bank of Scotland, PLC,	John Valentine, Esq. Wilmer Cutler Pickering Hale & Dorr LLP 1875 Pennsylvania Avenue, NW Washington, DC 20006
Deutsche Bank Trust Company Americas	Jennifer Hurley McGay, Esq. McKee Nelson LLP One Battery Park Plaza 34 th Floor New York, NY 10004
Fifth Third Bank	Ronald S. Beacher, Esq. Day Pitney, L.L.P. Times Square Tower 7 Times Square New York, NY 10036
The Fuji Bank, Limited Dai-Ichi Kangyo Bank, Ltd. The Industrial Bank of Japan	Kenneth Pasquale, Esq. Stroock & Stroock & Lavan LLP 180 Maiden Lane New York, NY 10038
Goldman, Sachs & Co.	Claude Gabriel Szyfer Stroock & Stroock & Lavan LLP 180 Maiden Lane New York, NY 10038

Halcyon Fund, L.P.	Deborah Jill Newman, Esq. Akin Gump Strauss Hauer & Feld LLP(NYC) 590 Madison Avenue New York, NY 10022
HCM/Z Special Opportunities LLC	Dominick D Barbieri, Esq. Davis Polk & Wardwell 450 Lexington Avenue New York, NY 10017
HSBC Bank USA, National Association	Angela Zwirecki Miller Phillips Lytle LLP (Buffalo, NY) 3400 HSBC Center Buffalo, NY 14203
JPMorgan Chase Bank, N.A. J.P. Morgan Securities, Inc.	Thomas A. Arena, Esq. Milbank Tweed Hadley & McCloy LLP 1 Chase Manhattan Plaza New York, NY 10005-1413
Key Bank National Association	Alec P. Ostrow, Esq. Stevens & Lee 485 Madison Avenue, 20th Flr. New York, NY 10022
Marathon Special Opportunity Master Fund, Ltd.	Carole Neville, Esq. Sonnenschein Nath & Rosenthal LLP (NY) 1221 Avenue of the Americas New York, NY 10020
Merrill Lynch Capital Corp. Merrill Lynch & Co.	Marshall R. King, Esq. Gibson Dunn & Crutcher LLP 200 Park Avenue 47 th Floor New York, NY 10166
Bank of Tokyo-Mitsubishi Trust Company Mitsubishi UFJ Trust and Banking Corporation	Peter Lewis Feldman Otterbourg, Steindler, Houston & Rosen 230 Park Avenue New York, NY 10169
Nationwide Life Insurance Company Nationwide Life and Annuity Insurance Company Nationwide Mutual Insurance Company	John A. Wetzel, Esq. Swartz Campbell LLC One South Church Street, Suite 400 West Chester, PA 19382

Non-Agent Lenders	Richard Wynne Kirkland & Ellis LLP 777 South Figueroa Street Los Angeles, CA 90017
PNC Bank N.A.	F. Whitten Peters, Esq. Williams & Connolly LLP 725 Twelfth Street, N.W. Washington, DC 20005-5901
Cooperative Centrale Raiffeisen- Boerenleenbank B.A., " Rabobank Nederland ," New York Branch	John P. Amato, Esq. Hahn & Hessen LLP 488 Madison Avenue New York, NY 10022
RBS Citizens, N.A.	David C. McGrail, Esq. Law Offices of David G. McGrail 676A Ninth Avenue, #211 New York, NY 10036
Societe Generale, S.A.	Lawrence Joel Kotler, Esq. Duane Morris LLP 30 South 17th Street Philadelphia, PA 19103
Sprugos Investments IV, L.L.C.	David S. Elkind, Esq. Ropes & Gray LLP (NYC) 1211 Avenue of the Americas New York, NY 10036
SunTrust Bank	Garry K. Grooms, Esq. Stites and Harbison PLLC 401 Commerce Street, Suite 800 Nashville, TN 37219
Toronto Dominion (Texas) LLC	Dion W. Hayes, Esq. McGuire Woods LLP One James Center 901 East Cary Street Richmond, VA 23219-4030
UBS A.G.	Alan E. Marder, Esq. Meyer, Suozzi, English & Klein, P.C. 990 Stewart Avenue, Suite 300 P.O.Box 9194 Garden City, NY 11530

Wachovia Bank, National Association Wachovia Capital Markets, LLC	William T. Russell, Esq. Simpson Thacher & Bartlett LLP 425 Lexington Avenue New York, NY 10017-3954
Bank of America Securities LLC BNY Capital Markets, Inc. Scotia Capital (USA), Inc. Citigroup Global Markets Holdings, Inc. Deutsche Bank Securities, Inc. Fleet Securities, Inc. Morgan Stanley & Co. Inc. PNC Capital Markets LLC SunTrust Capital Markets, Inc. TD Securities (USA) LLC	Nancy I. Ruskin, Esq. Cleary Gottlieb Steen & Hamilton LLP One Liberty Plaza New York, NY 10006